

USE OF EMERGENCY POLICE POWERS and CALL TO DUTY**Policy**

It is the policy of the New Mexico Department of Game and Fish for Department officers to enforce laws of the State of New Mexico as authorized by 17-2-19 NMSA 1978 **or** when defined by emergency circumstances **or** when called to duty by a qualified peace officer.

1. **§17-2-19 NMSA 1978** defines the authority of the Director of the Department of Game and Fish and each Conservation Officer regarding the enforcement of game laws.
2. Under **emergency circumstances**, Conservation Officers may enforce sections of the Criminal Code (Chapter 30 NMSA 1978) and the Motor Vehicle Code (Chapter 66 NMSA 1978).

Emergency is defined by three (3) elements, which must be considered before action is taken:

- 1) the gravity of the threatened harm (how great is the harm - life threatening, etc.);
 - 2) the likelihood of the harm occurring; and
 - 3) the lack of time in which action can be taken to avert the harm, especially whether it is feasible to summon a regular law enforcement officer.
3. When **called to duty**, Conservation Officers may provide assistance and take necessary law enforcement actions when summoned by a duly qualified peace officer.

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